

warning and without looking, caused said school bus to start a forward motion, at which said time the said Hazel Lee Stewart was struck by said school bus and thrown under the right rear dual wheel of said bus, said wheel passing over the abdomen of said Hazel Lee Stewart, inflicting serious and permanent injuries which resulted in death on the same date; and

*Whereas*, the parents of the said Hazel Lee Stewart were and are unable to defray the expenses of said child; and

Parents unable to defray expenses.

*Whereas*, on October eighteenth, one thousand nine hundred thirty-seven, the parents of said Hazel Lee Stewart, filed the statement of an account with the State School Commission, Raleigh, North Carolina, reporting the expenses incurred in the treatment and burial of the said Hazel Lee Stewart; and

Statement of expenses filed with State School Commission.

*Whereas*, by Chapter two hundred forty-five of Public Laws of North Carolina, one thousand nine hundred thirty-five, the State School Commission was authorized and directed to set up in its budget for the operation of public schools of the State, a sum of money which it deemed sufficient to pay to parents, guardians, executors and administrators of any school child who might be injured and/or whose death results from injuries received while such child is riding on a school bus to and from the public schools of the State, medical, surgical and hospital and funeral expenses incurred on account of such injuries and/or death of such child in an amount not to exceed the sum of six hundred dollars (\$600.00); and

Authority of State School Commission to pay compensation for children injured or killed while riding on school busses.

*Whereas*, by Section six of said Act, it was provided that the State should not be liable, among other things, for personal injuries sustained while not actually riding on the bus to and from the school, and from personal injuries received otherwise than by reason of the operation of said bus; and

Non-liability of State for injuries received while not actually riding on bus.

*Whereas*, after said claim was filed by the said parents of said Hazel Lee Stewart with the State School Commission as aforesaid, for the sum of five hundred dollars (\$500.00), representing the expenses incurred in the treatment and burial of said Hazel Lee Stewart, the State School Commission while not rejecting, has failed to approve and pay the same due to the fact that the said Hazel Lee Stewart was not actually riding on said bus at the time of the accident; and

Failure of State School Commission to approve claim filed by parents of Hazel Lee Stewart.

*Whereas*, the parents of the said Hazel Lee Stewart have no remedy at law: Now, therefore,

No remedy at law.